

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

SHELBY STEWART, *et al.*, §  
§  
Plaintiffs, §  
§  
v. § CIVIL ACTION NO. H-07-4021  
§  
CITY OF HOUSTON and §  
CITY OF HOUSTON CHIEF OF §  
POLICE HAROLD HURTT, §  
§  
Defendants. §

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION AND ENTERING  
FINAL JUDGMENT**

This court has reviewed the Memorandum and Recommendation of the United States Magistrate Judge signed on August 7, 2009. The court has also considered the objections of the plaintiffs filed on March 9, 2009 and made a *de novo* determination. Rule 72(b), Fed. R. Civ. P.; 28 U.S.C. § 636(b)(1)(C); *United States v. Wilson*, 864 F.2d 1219 (5th Cir. 1989).

Based on the record and the applicable law, this court overrules the plaintiffs' objections to the Memorandum and Recommendation and adopts the Memorandum and Recommendation as this court's Memorandum and Order. Accordingly, it is ordered that the defendants' motion for summary judgment is granted and the plaintiffs' claims are dismissed, with prejudice.

This is a final judgment.

SIGNED on September 3, 2009, at Houston, Texas.

  
\_\_\_\_\_  
Lee H. Rosenthal  
United States District Judge